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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,996	01/16/2004	Go-hyun Kim	1293.1299C	5008
21171	7590	10/18/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			KLIMOWICZ, WILLIAM JOSEPH	
			ART UNIT	PAPER NUMBER
			2652	

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/757,996	KIM ET AL.	
	Examiner William J. Klimowicz	Art Unit 2652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 22 August 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,4,7-17 and 19-29 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 17 and 19-29 is/are allowed.

6) Claim(s) 1 and 4 is/are rejected.

7) Claim(s) 7-16 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 22, 2005 has been entered.

Claim Status

Claims 1, 4, 7-17 and 19-29 are currently pending.

Claims 2, 3, 5, 6 and 18 have been voluntarily cancelled by the Applicants.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurosu (US 5,123,005).

As per claim 1, Kurosu (US 5,123,005) discloses an optical disc changer, comprising: a main body (2); a tray (7) slidably installed in the main body (2); a roulette (16) rotatably

installed at the tray (7) to accommodate a plurality of optical discs (20); an optical pickup device (45) to reproduce the optical disc (20) accommodated on the roulette (16); a first hook step (e.g., portion of chassis on which the elastic portion of (6) is mounted) protruding from one of the tray (7) and the main body (2) and a first stop member (14) provided on the other of the tray (7) and the main body (2) at a position to bump against the hook step (e.g., portion of chassis on which the elastic portion of (6) is mounted) at a point when loading is completed (e.g., see, *inter alia*, FIGS. 12A and 14A; see also COL. 5, line 63 through COL. 6, line 2; COL. 13, lines 19-26); a first damper (6) provided at a bump portion of the first hook step (e.g., portion of chassis on which the elastic portion of (6) is mounted) and/or the first stop member (14). To absorb the shock when the first stop member bumps the first hook step; and a second hook step (e.g., right side of undepicted portion of chassis on which another right side undepicted elastic portion of (6) is mounted) and a second stop member (e.g., right side of undepicted portion of (14)) disposed so that the second hook step bumps against the second stop member at a point where unloading is completed (e.g., see FIG. 12, wherein the shown left-side portion corresponds to the undepicted right-side portion), to limit a movement range of the tray (7) during unloading, and a second damper (undepicted right-side (6) which corresponds to the depicted left-side (6) as seen in FIG. 12A) provided at a bump portion at the second hook step and/or the second stop member to absorb shock when the second stop member bumps the second hook step. That is, although the Figures only depict the left side portion of the tray, the undepicted corresponding right side portion also includes another stopper member and hook step as indicated at, *inter alia*, COL. 5, lines 63 through COL. 6, line 2.

As per claim 4, wherein the first damper and the second damper are respectively provided at both side surfaces (i.e., they are provided on right and left sides of the tray and chassis) of the first hook step and the second hook step.

Response to Arguments

Applicants' arguments filed August 22, 2005 have been fully considered but they are not persuasive.

The Applicants allege that, “[i]t would not appear that a portion of chassis on which the elastic portion of (6) has the function of hooking disclosed in Kurosu.” See page 6 of the Response filed August 22, 2005.

The Examiner respectfully disagrees. More concretely, as per claim 1, Kurosu (US 5,123,005) indeed discloses a first hook step (e.g., *portion of chassis* on which the elastic portion of (6) is *fixed* or mounted) protruding from one of the tray (7) and the main body (2). That is, the bumper (6) is indeed fixed to the tray. The element which fixes the bumpers is considered to be the hook, which is shown in the Figures as a central element upon which the bumper is positioned over. The hook is covered with the bumper (6) to prevent shock caused by collision between the tray and the uncovered hook.

The Applicants further allege:

Kurosu fails to disclose “...a first hook step protruding from one of the tray and the main body and a first stop member provided in the other of the tray and the main body at a position to bump against the hook step at a point when load is completed; and a first damper provided at a bump portion of the first hook step and/or the first stop member.”

Id. at page 6 bridging page 7.

The Examiner respectfully disagrees. More concretely, as clearly and unambiguously set forth in the rejection, *supra*, Kurosu (US 5,123,005) does indeed disclose a first hook step (e.g., *portion of chassis on which the elastic portion of (6) is mounted*) protruding from one of the tray (7) and the main body (2) and a first stop member (14) provided on the other of the tray (7) and the main body (2) at a position to bump against the hook step (e.g., *portion of chassis on which the elastic portion of (6) is mounted*) at a point when loading is completed (e.g., *see, inter alia, FIGS. 12A and 14A; see also COL. 5, line 63 through COL. 6, line 2; COL. 13, lines 19-26*); a first damper (6) provided at a bump portion of the first hook step (e.g., *portion of chassis on which the elastic portion of (6) is mounted*) and/or the first stop member (14).

Allowable Subject Matter

Claims 7-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 17 and 19-29 are currently allowed over the applied art of record.

Conclusion

All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114.

See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (571) 272-7577. The examiner can normally be reached on Monday-Thursday (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2652

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William J. Klimowicz
Primary Examiner
Art Unit 2652

WJK